



Patent
Attorney Docket No. 016921-212

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

Christine A. FRANKE et al.

Application No.: 10/698,439

Filing Date: November 3, 2003

Title: NEW INTERGENIC AND INTRAGENATION FOR FOREIGN GENE EXPRESSION IN RECOMBINANT S. GORDINII STRAINS

Group Art Unit:

Examiner:

Confirmation No.:

**FIRST
INFORMATION DISCLOSURE STATEMENT
TRANSMITTAL LETTER**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a **FIRST** Information Disclosure Statement and accompanying form PTO-1449 for the above-identified patent application.

- ☒ No additional fee for submission of an IDS is required.
- ☐ The fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e) is also enclosed.
- ☐ A statement under 37 C.F.R. § 1.97(e), and the fee of \$180.00 (1806) as set forth in 37 C.F.R. § 1.17(p) are also enclosed.
- ☐ Charge _____ to Deposit Account No. 02-4800 for the fee due.
- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

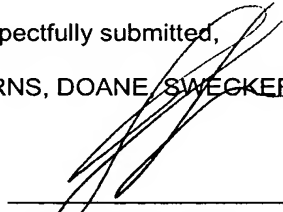
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17 and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

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By


Teresa Stanek Rea
Registration No. 30,427

Date: April 23, 2004



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of)	
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Christine A. FRANKE <i>et al.</i>)	Group Art Unit:
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Filed: November 3, 2003)	Confirmation No.:
)	
For: NEW INTERGENIC AND)	
INTRAGENATION FOR FOREIGN)	
GENE EXPRESSION IN)	
RECOMBINANT S. GORDINII)	
STRAINS)	

FIRST INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure as set forth in 37 C.F.R. § 1.56, the accompanying information is being submitted in accordance with 37 C.F.R. §§ 1.97 and 1.98.

Pursuant to 37 C.F.R. § 1.98, a copy of each of the documents cited is enclosed.

The documents are being submitted within three (3) months of the filing or entry of the national stage of this application or before the first Office Action on the merits, whichever is later. Since these documents are being filed within the time period set forth in 37 C.F.R. § 1.97(b), no fee or statement is required.

I, the undersigned, hereby state that no item of information contained in this Information Disclosure Statement was first cited in a communication from a foreign patent office in a counterpart foreign application and, to my knowledge after making reasonably inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three (3) months prior to the filing of this Information Disclosure Statement.

To assist the Examiner, the documents are listed on the attached form PTO-1449. It is respectfully requested that an Examiner initialed copy of this form be returned to the undersigned.

Respectfully submitted,

BURNS, DOANE, SWECKER & MATHIS, L.L.P.

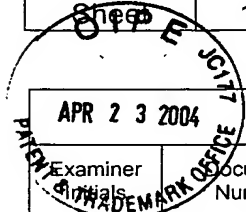
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Substitute for form 1449A/PTO & 1449B/PTO		Complete if Known	
FIRST INFORMATION DISCLOSURE STATEMENT BY APPLICANT		Application Number	10/698,439
		Filing Date	November 3, 2003
		First Named Inventor	Christine A. FRANKE et al.
		Examiner Name	
(use as many sheets as necessary)		Attorney Docket Number	016921-212
Sheet	1	of	1



U.S. PATENT DOCUMENTS				
Examiner Initials	Document Number	Kind Code (if known)	Name of Patentee or Applicant of Cited Document	Issue/Publication Date (MM-DD-YYYY)

FOREIGN PATENT DOCUMENTS						
Examiner Initials	Document Number	Kind Code (if known)	Country	Date of Publication (MM-DD-YYYY)	Translation	
					Yes	No

NON-PATENT LITERATURE DOCUMENTS	
Examiner Initials	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.
	M.R. OGGIONI et al., "A host-vector system for heterologous gene expression in <i>Streptococcus gordonii</i> ", <i>Gene</i> , Vol. 169, No. 1, (1996), pp. 85-90
	K. KANATANI et al., "Characterization of a small cryptic plasmid, pLA105, from <i>Lactobacillus acidophilus</i> TK8912," <i>J. of Fermentation and Bioengineering</i> , Vol. 80, No. 4, 1995, pp. 394-399
	D. CLEMANS et al., "Insertional inactivation of genes responsible for the D-alanylation of lipoteichoic acid in <i>Streptococcus gordonii</i> ...", <i>Infection and Immunity</i> , Vol. 67, No. 5, 1999, pp. 2464-2474
	C. FRANKE et al., "Studies on the genomic organization of recombinant <i>Streptococcus gordonii</i> and the development of a novel intergenic...", <i>J. of Mol. Microbiol. Biotechnol.</i> , Vol. 3, No. 4, 2001, pp. 545-555
	C.J. WHITAKER et al., "Insertional inactivation of an intragenic coaggregation-relevant adhesion locus from <i>Streptococcus gordonii</i> DL1...", <i>Infection and Immunity</i> , Vol. 64, No. 10, 1996, pp. 4137-4142
	G. POZZI et al., "Expression of M6 protein gene of <i>Streptococcus pyogenes</i> in <i>Streptococcus gordonii</i> after chromosomal integration and transcriptional...", <i>Res. Microbiology</i> , Vol. 143, No. 5, 1992, pp. 449-457
	T. SHIROZA et al., "Application of the resident plasmid integration technique to construct a strain of <i>Streptococcus gordonii</i> able to express the <i>Bacillus circulans</i> ...", <i>Gene</i> , Vol. 207, No. 2, 1998, pp. 119-126
	T.C. BOLKEN et al., "Identification of an intragenic integration site for foreign gene expression in recombinant <i>Streptococcus gordonii</i> strains," <i>Applied Microbiology and Biotechnology</i> , Vol. 55, No. 2, 2001, pp. 192-197

Examiner Signature	Date Considered
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.